

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AMBER GORDON	:	CIVIL ACTION
	:	
v.	:	
	:	No. 14-3056
LA SALLE UNIVERSITY	:	

**ORDER**

AND NOW, this 16<sup>th</sup> day of April, 2015, “Defendant La Salle University’s Motion to Exclude the Report of John W. Dieckman” (doc. no. 22) is granted in part as follows:

1. Defendant’s motion seeking to exclude the section of the report headed “Reasonable Accommodation” because it includes impermissible legal conclusions is unopposed, *see* doc. no. 27, and is therefore granted. Plaintiff and Mr. Dieckman are precluded from offering the “Reasonable Accommodation” section of the report into evidence at trial. Plaintiff and Mr. Dieckman are similarly precluded from offering the following statements, which also include impermissible legal conclusions, into evidence at trial:

a. “Rather than accommodating her, La Salle University has dismissed her from the program.” Report, Overview, page 1.

b. “[A]s the result of the failure of La Salle University to make reasonable accommodations for her disability.” Report, Residual Employability/Finances, page 15.

c. “She has asked La Salle University for a medical leave, which is a reasonable accommodation under Section 504 of the Rehabilitation Act as well as the Americans with Disabilities Act. La Salle University has failed to grant this and instead dismissed her from the program.” Report, Conclusions, page 17.

2. For the reasons set forth in the accompanying memorandum, the remainder of the motion is denied without prejudice to defendant raising the objection during the course of trial.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.  
JOSEPH F. LEESON, JR., J.